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| FORM PTO-1390 (REV. 2-2005) | | U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE | ATTORNEY'S DOCKET NUMBER P/4712-2 |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 | | | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/538027 |
| INTERNATIONAL APPLICATION NO. PCT/EP2003/013993 | INTERNATIONAL FILING DATE 10, DECEMBER, 2003 | PRIORITY DATE CLAIMED 14, DECEMBER, 2002 | |
| TITLE OF INVENTION PRESSURE ELECTROLYZER AND METHOD FOR SWITCHING OFF A PRESSURE ELECTROLYZER | | | |
| APPLICANT(S) FOR DO/EO/US Rolf August Brand, et al. | | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | | |
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An (Executed) oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). | | | |
| Items 11 to 20 below concern other document(s) or information included: | | | |
| 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. | | | |
| 12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. | | | |
| 13. <input checked="" type="checkbox"/> A preliminary amendment. | | | |
| 14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76 | | | |
| 15. <input type="checkbox"/> A substitute specification. | | | |
| 16. <input type="checkbox"/> A power of attorney and/or change of address letter. | | | |
| 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13 ^{ter} .2 and 37 CFR 1.821-1.825. | | | |
| 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). | | | |
| 19. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). | | | |
| 20. <input checked="" type="checkbox"/> Other items or information (<i>specify</i>): <i>Four (4) sheets of drawings (Figs. 1a)-2b)); International Preliminary Examination Report (English); Notification of the Recording of a Change; International Search Report; Form PTO-1449; five (5) references; and postcard.</i> | | | |

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| U.S. APPLICATION NO. (if known) sec 37 C.F.R. 1.52 <div style="font-size: 2em; font-weight: bold; text-align: center;">107538027</div> | | INTERNATIONAL APPLICATION NO. PCT/EP2003/013993 | | ATTORNEY'S DOCKET NUMBER P/4712-2 | |
| | | | | CALCULATIONS | PTO USE ONLY |
| The following fees have been submitted | | | | \$300 | |
| 21. <input checked="" type="checkbox"/> Basic national fee..... \$300 | | | | | |
| 22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100 All other situations..... \$200 | | | | \$200 | |
| 23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared and provided to the Office..... \$400 All other situations..... \$500 | | | | \$400 | |
| TOTAL OF 21, 22 and 23 = | | | | \$900 | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | \$ | |
| Total Sheets | Extra sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | |
| - 100 = | /50 = | | x \$250 | \$ | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | \$ | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | \$ | |
| Total Claims | 12 - 20 = | 0 | x \$ 50 | \$ | |
| Independent Claims | 2 - 3 = | 0 | x \$200 | \$ | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$360 | \$ | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$900 | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½. | | | | \$ | |
| SUBTOTAL = | | | | \$900 | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | \$ | |
| TOTAL NATIONAL FEE = | | | | \$900 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by the appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + | | | | \$ 40 | |
| TOTAL FEES ENCLOSED = | | | | \$940 | |
| | | | | Amount to be refunded: | \$ |
| | | | | Amount to be charged: | \$ |
| a. <input checked="" type="checkbox"/> A check (check number <u>20840</u>) in the amount \$940 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 15-0700 in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 15-0700. A duplicate copy of this sheet is enclosed. | | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status. | | | | | |
| SEND ALL CORRESPONDENCE TO: Klaus P. Stoffel Ostrolenk, Faber, Gerb & Soffen, LLP 1180 Avenue of the Americas New York, New York 10036-8402 | | | <div style="text-align: center;"> </div> Klaus P. Stoffel Registration Number: 31,668 Telephone: (212) 382-0700 | | |

June 8, 2005

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10/538027

JC17 Rec G/PT/11/08 JUN 2005

**Certification for Verification of English Translation
By a Translator Duly Authorized by the Applicants**

I, Terri WHITE, resident of La Vidale, FRANCE, am fully conversant with the English and German Languages, and an approved translator for translating German documents into the English language.

I have been provided with a true copy of the original specifications of the International (PCT) Patent Application No. PCT/EP2003/013993 by the Applicant thereof – GHW Gesellschaft für Hochleistungselektrolyseure zur Wasserstofferzeugung mbH, Mitterstrassweg 19, 82064 Strasslach, GERMANY, a German company, who has also authorized me to translate this German document into the English language.

The English translation of the above said document is attached hereto. I hereby confirm and verify the contents thereof are correct and complete.

Signed:



Date: 19 May 2005

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EV342540217US